

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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UNITED STATES OF AMERICA, ex rel.,)
and)
William L. Fry) CIVIL ACTION NO: 1:04-CV-00316
113 Garloch Drive)
Erie, PA 16505,) JUDGE SEAN J. MCLAUGHLIN
)
Plaintiffs,)
)
v.)
)
FIRST INVESTMENT COMPANY OF)
COLUMBUS, OHIO,)
)
Defendant.)
)
)

**CONSENTED TO MOTION FOR EXTENSION OF TIME TO FILE A
RESPONSE**

AND NOW, comes the Defendant, First Investment Company of Columbus, Ohio, an Ohio Corporation, by and through its counsel, Jennifer E. Watson, Esq. and Wilbraham Lawler & Buba, and files the following Consented to Motion for Extension of Time to File a Response:

1. Plaintiffs filed a complaint in the United States District Court for the Western District of Pennsylvania on or about October 27, 2004.
2. The complaint alleges that Defendant made false claims in violation of the False Claim Act, 31 U.S.C. § 3729.
3. Plaintiff, William Fry, executed a waiver of service to Defendant, First Investment Company of Columbus, Ohio.

4. Defendant, First Investment Company of Columbus, Ohio, returned the waiver of service on July 29, 2006.

5. Due to the waiver of service, First Investment Company of Columbus, Ohio is required to file a response.

6. Counsel for Defendant noted the Civil Docket for this case requiring a response on October 30, 2006.

7. The docket was later corrected to require a response on September 27, 2006. (See Civil Docket, attached hereto as "Exhibit A".)

8. Counsel for Defendant has been in contact with Plaintiff's counsel regarding an extension for Defendant's response.

7. Counsel for Defendant sent a letter to Plaintiff's counsel acknowledging an extension of time for Defendant to file a response.

8. Plaintiff's counsel does not oppose Defendant's motion for an extension of time. (See letter from Plaintiff's counsel, attached hereto as "Exhibit B".)

9. As such, Defendant requests this Honorable Court to grant an extension of time until October 26, 2006 for Defendant, First Investment Company of Columbus, Ohio, to file a response.

WHEREFORE, this Defendant respectfully requests that this Honorable Court grant an extension until October 26, 2006 for Defendant, First Investment Company of Columbus, Ohio, to file a response.

Respectfully submitted,

/s/ Jennifer E. Watson
Jennifer E. Watson, Esquire
PA I.D. #78664
WILBRAHAM, LAWLER & BUBA
603 Stanwix Street
Two Gateway Center, 17 North
Pittsburgh, PA 15222
(412) 255-0500

Counsel for Defendants:
**First Investment Company of Columbus,
Ohio**

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the within CONSENTED TO MOTION FOR EXTENSION OF TIME TO FILE A RESPONSE upon:

Malcolm L. Pollard, Esquire
4845 Westlake Road #119
Erie, PA 16505

on this 4th day of October 2006.

/s/ Jennifer E. Watson

Jennifer E. Watson